

Article - Health - General

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§2-103.

(a) (1) With the approval of the Governor, the Secretary shall appoint the following five deputy secretaries:

- (i) The Deputy Secretary for Behavioral Health;
- (ii) The Deputy Secretary for Health Care Financing;
- (iii) The Deputy Secretary for Operations;
- (iv) The Deputy Secretary for Public Health Services; and
- (v) The Deputy Secretary for Developmental Disabilities.

(2) The deputy secretaries serve at the pleasure of the Secretary.

(3) The deputy secretaries are entitled to the salary provided in the State budget.

(4) The deputy secretaries have the duties provided by law or delegated by the Secretary.

(b) (1) The Secretary may employ a staff in accordance with the State budget.

(2) Each deputy secretary and professional consultant is appointed by and serves at the pleasure of the Secretary.

(3) Except as provided in paragraph (5) of this subsection or otherwise by law, the Secretary shall appoint and remove all other staff in accordance with the provisions of the State Personnel and Pensions Article.

(4) The appointment or removal of staff of any unit in the Department is subject to the approval of the Secretary. As to any unit in the Department, the Secretary may delegate this authority to the head of that unit.

(5) All personnel in the Department, Grade 18 and above, who administer or direct a program, shall:

(i) Be in the executive service, management service, or special appointments in the State Personnel Management System; and

(ii) Be appointed by, and serve at the pleasure of, the Secretary.

(6) All personnel in the Department, Grade 18 and above, who administer or direct a program, shall disclose all other employment and compensation outside the Department to the Secretary. An individual under this paragraph may not be employed or receive compensation outside the Department that would create a conflict of interest, an appearance of a conflict of interest, or impair the impartiality and independence of judgment of the individual.

(c) In determining the staff-to-resident ratio in any residential facility that the Department operates, the number of residents shall be the total of the residents who are physically present and who are on leave of 18 days or less.

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